



BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY  
FEDERAL ENERGY REGULATORY COMMISSION

Fall Creek Hydro, LLC

Project No. 12778-004

NOTICE OF APPLICATION ACCEPTED FOR FILING, SOLICITING MOTIONS TO INTERVENE AND PROTESTS, READY FOR ENVIRONMENTAL ANALYSIS, AND SOLICITING COMMENTS, RECOMMENDATIONS, PRELIMINARY TERMS AND CONDITIONS, AND PRELIMINARY FISHWAY PRESCRIPTIONS

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

- a. Type of Application: Original Major License
- b. Project No.: 12778-004
- c. Date filed: February 28, 2011
- d. Applicant: Fall Creek Hydro, LLC
- e. Name of Project: Fall Creek Dam Hydroelectric Project
- f. Location: The proposed project would be constructed at the existing U.S. Army Corps of Engineer's (Corps) Fall Creek Dam located on Fall Creek near the towns of Springfield and Eugene in Lane County, Oregon. The project would occupy 6.53 acres of Federal lands managed by the Corps.
- g. Filed Pursuant to: Federal Power Act 16 USC 791 (a) - 825(r).
- h. Applicant Contact: Brent L. Smith, Chief Operating Officer; Symbiotics LLC; 371 Upper Terrace, Suite 2, Bend, OR 97702; Telephone (541) 330-8779.
- i. FERC Contact: Lee Emery, Telephone (202) 502-8379 and e-mail [lee.emery@ferc.gov](mailto:lee.emery@ferc.gov)
- j. Deadline for filing motions to intervene and protests, comments, recommendations, preliminary terms and conditions, and preliminary prescriptions: 60 days from the

issuance date of this notice; reply comments are due 105 days from the issuance date of this notice. Motions to intervene, protests, comments, recommendations, preliminary terms and conditions, and preliminary fishway prescriptions may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's website <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted for filing and is now is ready for environmental analysis.

l. The proposed project would utilize the existing Corps' Fall Creek Dam and Fall Creek Reservoir, and would consist of the following new facilities: (1) three water inlet structures with a total capacity of 625 cubic feet per second, built on the upstream face of the dam drawing water from elevations 720, 765 and 800 mean sea level; (2) a 32-foot-long, 22-foot-wide valve control structure for the three water inlets; (3) an 8-foot-diameter, approximately 570-foot-long penstock grouted to the existing south side concrete outlet structure; (4) a 10-foot-high, 5.5-foot-wide penstock isolation gate located at the downstream end of the penstock and maintaining hydraulic pressure in the penstock; (5) two 8-foot-diameter bifurcations located approximately 70 feet upstream of the penstock isolation gate; (6) two 110-foot-long, 8-foot-diameter penstocks; (7) two Eicher screens, one per penstock; (8) a 48.5-foot-long, 44-foot-wide concrete fish screen enclosure; (9) a 26-foot-long penstock convergence and trifurcation section leading to two Francis and one Kaplan turbine-generating units with a total installed capacity of 10 megawatts (MW); (10) a 75-foot-long, 60-foot-wide concrete powerhouse; (11) a network of pipes supplying water to an existing Corps fish collection facility during powerhouse operation or shutdown; (12) an approximately 100-foot-long, 64-foot-wide

concrete tailrace channel equipped with picket barrier to prevent fish from accessing the turbine runners; (13) a 2,850-foot-long fish bypass system starting at the Eicher screens and consisting of (a) two 1,430-foot-long by 24-inch-diameter pipes each with 24 outlets discharging into an approximately 1,420-foot-long, 24-inch-wide and 24-inch-deep "U" shaped concrete open channel return chute; and (b) an approximately 33-foot-long, 23-foot-wide fish evaluation station located approximately 370 feet upstream from where the return chute discharges back into Fall Creek; (14) a 442-foot-long, 12.5 kilovolt buried transmission line connecting the powerhouse to an existing overhead transmission line which is part of the local grid; and (15) appurtenant facilities. The project would occupy 6.53 acres of Federal lands owned and managed by the Corps. The average annual generation is estimated to be 21,220 megawatt-hours.

m. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support. A copy is also available for inspection and reproduction at the address in item h above.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, and 214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

All filings must (1) bear in all capital letters the title "PROTEST," "MOTION TO INTERVENE," "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," "PRELIMINARY TERMS AND CONDITIONS," or "PRELIMINARY FISHWAY PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. A copy of any protest or

motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

o. Procedural Schedule:

The application will be processed according to the following revised Hydro Licensing Schedule. Revisions to the schedule may be made as appropriate.

MILESTONE	TARGET DATE
Filing of recommendations, preliminary terms and conditions, and preliminary fishway prescriptions	June 2012
Commission issues Draft EA	December 2012
Comments on Draft EA	January 2013
Modified Terms and Conditions	March 2013
Commission Issues Final EA	June 2013

p. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of this notice.

q. A license applicant must file no later than 60 days following the date of issuance of the notice of acceptance and ready for environmental analysis provided for in 5.22: (1) a copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification.

r. Any qualified applicant desiring to file a competing application must submit to the Commission, on or before the specified intervention deadline date, a competing development application, or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing development application no later than 120 days after the specified intervention deadline date. Applications for preliminary permits will not be accepted in response to this notice.

A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal statement of intent to submit a development application. A notice of intent must be served on the applicant(s) named in this public notice.

Dated: April 19, 2012

Kimberly D. Bose,  
Secretary.

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